



CITY OF CHICAGO

DEPARTMENT OF BUSINESS AFFAIRS AND CONSUMER PROTECTION

Plan of Operation

Licensee: The Giant Penny Whistle, LLC d/b/a The Giant Penny Whistle
Premises: 1854 - 1856 S. Blue Island Ave, Chicago, IL 60640
Application Type: Tavern (1470) & Public Place of Amusement (1050)
Account Number: 455000
Site: 1

Pursuant to Chapter 4-156-330(a) of the City of Chicago Municipal Code, no public place of amusement license shall be issued for any establishment within 200 feet of any church, or building used exclusively for educational purposes (collectively known as the "affected institution"). However, pursuant to 4-156-330(b), the commissioner of business affairs and consumer protection (BACP), may grant a reduction of the distance requirement in subsection (a) if, based on a review of relevant factors, BACP concludes that such a reduction would not detrimentally impact the affected institution. Based upon a written submission by the above named licensee for a reduction and a review of the relevant factors by BACP, a reduction of the distance requirement has been granted pursuant to the conditions set forth below in this Plan of Operation.

Further, pursuant to City of Chicago Municipal Code ("M.C.C.") Sections 4-60-040 (h) and 4-156-311 (d)(3)(A), the Department of Business Affairs and Consumer Protection ("BACP") / Local Liquor Control Commission ("LLCC") of the City of Chicago and the above-named Licensee have agreed to the issuance of Public Place of Amusement and Tavern licenses under the following conditions:

1. **Monitor Exterior of Premises-** License shall regularly monitor the exterior area of the premises during business hours and address and abate noise, loitering and littering complaints about licensee's patrons or employees.
2. **Waste Containers/Removal-** Licensee shall maintain sufficient trash containers to accommodate waste generated. In addition, licensee shall have trash pick up occur at least once per week and more frequently should the need arise.
3. **Criminal Activity-** Licensee shall take steps to prevent fighting, disturbances of the peace, public intoxication, unruly behavior, or any criminal activity by the presence of employees and cameras to deter patrons from participating in these types of activities. Licensee shall also notify CPD of any illegal activity viewed in or around the premises and maintain a log and sign complaints.
4. **Security Cameras / Video Surveillance –** The Licensee shall install a camera security system inside and outside of the premises as follows:
 - a. The cameras are sufficiently light sensitive and provide sufficient image resolution to produce easily discernible images;



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- b. The images recorded by the cameras shall be capable of being viewed through use of compact disc, electronic file transfer and other digital media and shall be capable of being transferred to a variety of portable form of media;
 - c. The cameras shall view and shall be able to record images of persons and cars 1) along the business' driveways / alleys / streets; 2) outside the building; 3) inside of the licensed premises; and 4) on the sidewalks adjacent to the business property;
 - d. The cameras shall be able to record discernable images from a minimum of 10 feet in front of and on the sides of any business entrance;
 - e. The Licensee shall maintain video recordings on-site for 30 days at the licensed premises, in a secured manner, and indexed by date and time. Such recordings shall be made available to the Chicago Police Department or BACP or the Local Liquor Control Commissioner (LLCC) upon request.
 - f. The system will be set to record during all hours of operation, and one hour past closing time;
 - g. Licensee shall post signage in a conspicuous manner and at appropriate locations notifying the public that video surveillance cameras are in operation;
 - h. Licensee shall enable exterior cameras to directly feed into the Chicago Police Department, if such is requested.
5. **Security Staff** – The Licensee shall employ in-house security staff of a sufficient and adequate number so as to ensure the reasonable safety of all employees and patrons of the premises.
- a. Security guards shall regularly patrol the interior and exterior areas of the establishment, including all business entrances, exits, and sidewalks;
 - b. Security guards shall regularly patrol within the premises to ensure customers conduct themselves in a lawful manner;
 - c. Security guards shall take affirmative steps to move loiterers and trespassers outside the business away so that sidewalks and entrances to the stores are not impeded;
 - d. Security guards and any other employees shall immediately report any and all illegal activities occurring on or within sight of the licensed premises to 911. Calls to 911 shall be made from a landline; if calls to 911 are made from another phone, the phone number of that phone shall be recorded in the "incident and activity log" subparagraph (f) and security/employees will identify themselves as employees of Premises to 911 operator;
 - e. Security guards shall maintain an "incident and activity log" that lists all events requiring their intervention, and all calls to 911. This "log" shall document the date, time, reason and outcome of the event or phone call; and
 - f. Security guards and other employees shall sign complaints and testify in Court as necessary;
 - g. Security shall deny entry to any person who is visibly intoxicated and/or disorderly.



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- h. Security shall prevent consumption of alcoholic beverages on the public way, or by those queued and awaiting admission to the venue. Carrying alcohol outside of the licensed/permitted location is strictly forbidden except as legally permitted in the City of Chicago.
 - i. Security shall wear identifiable clothing or arm bands on the outermost layer of clothing.
6. **Meetings and Cooperation with Chicago Police Department** – The Licensee shall attend neighborhood District C.A.P.S. (Community Alternative Policing Strategy) and Hospitality/Business meetings, meetings with the office of the Alderman, Police Commander and any similar CPD-sponsored meetings to improve awareness with community concerns of the neighborhood. The Licensee and his agents shall fully cooperate with the Department of Business Affairs and Consumer Protection (BACP); the Local Liquor Control Commissioner (LLCC) and the Chicago Police Department (CPD) in all inspections and investigations.
7. **Entertainment** – Licensee shall not allow any event to take place where Licensee vacates the Premises and allows a third-party to hire their own staff (bartenders, servers, hosts and security). All entertainment offered at the Premises shall be vetted and booked by Licensee.
8. **Occupancy limits**- Licensee shall not permit the number of patrons in the premises to exceed the limits as set forth on the on the occupant signs issued by the City of Chicago Departments of Buildings.
9. **Public Nuisances**-Licensee shall timely address any public nuisance issues which adversely impact the health, safety and welfare of the community.
10. **Alcohol Server Training**- All bar and wait staff will be BASSET certified and will be trained with respect to the detection of fraudulent identification. All bartenders and wait staff will be trained to identify intoxicated patrons and will take pro-active steps to prevent the intoxication of patrons.
11. **Illegal Parking**- Licensee shall discourage any illegal parking of vehicles by its patrons and encourage its patrons to utilize public transportation.
12. **Noise Control**- Licensee will monitor noise levels and will ensure that sound does not exceed limits permitted under the City of Chicago Environmental Noise Ordinance. Licensee shall close all windows by 10pm.
13. **Use of Public Transportation Encouraged** - Licensee shall encourage its patrons to utilize public transportation by conveying the message via staff and by posting on its website, the locations of and directions to, bus stops and L" stations closest to Premises. The Licensee shall also promote walking, bicycling, the use of taxis and ridesharing services to get to and from Premises. Licensee will also encourage all lessees of the Premises to convey similar information to their patrons.

The conditions of this plan of operation are legally binding and may be enforced by City of Chicago enforcement authorities under MCC §§ 4-60-040(h) and 4-156-330(e). All other conditions of the license are governed by the City of Chicago. This plan of operation shall be deemed a part of the Public Place of Amusement license and Tavern license. Compliance with the plan of operation shall be a necessary condition to the continued validity of the license. Violation of the above stated conditions may result in the imposition of a fine and/or suspension or revocation of all business licenses issued to the Licensee. Violations of the above stated conditions may also result in the issuance of cease and desist orders prohibiting the activity which violates the conditions of the licenses.



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The conditions of the business licenses issued pursuant to this Plan of Operation shall apply to the business address and Licensee and to all officers, managers, members, partners and direct or indirect owners of the entity of which is licensed. The sale of the Licensee to other persons purchasing the stock of the licensed entity shall be subject to the same conditions set forth in this Plan of Operation. Any and all potential new owners of the licensed entity shall be subject to the same conditions set forth in this Plan of Operation.

It shall be the duty of every person conducting, engaging in, operating, carrying on or managing the above-mentioned business entity to post this Plan of Operation next to the business license certificates in a conspicuous place at the business address.

Licensee: The Giant Penny Whistle, LLC d/b/a The Giant Penny Whistle

Business Address: 1854-56 S. Blue Island Ave, Chicago, IL 60608

Kacy Middleton
Business Owner

Shannon K Trotter
Local Liquor Control Commissioner
Department of Business Affairs and Cons

12/08/2020

Date